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FM AMEMBASSY LIMA
TO RUEHC/SECSTATE WASHDC PRIORITY 2879
RUEAWJA/DEPT OF JUSTICE WASHINGTON DC PRIORITY
INFO RUEHBO/AMEMBASSY BOGOTA 4047
RUEHBR/AMEMBASSY BRASILIA 7040
RUEHCV/AMEMBASSY CARACAS 9855
RUEHLP/AMEMBASSY LA PAZ NOV QUITO 0771
RUEHSG/AMEMBASSY SANTIAGO 0924

UNCLAS LIMA 004262

SIPDIS

SENSITIVE
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DOJ FOR JASON CARTER
ONDCP FOR BRAD HITTLE
INL FOR LAIZA CASAS

E.O. 12958: N/A

TAGS: PGOV PREL KJUS PE
SUBJECT: REQUEST FOR ASSISTANCE WITH EXTRADITION WORKSHOP
AND EXTENDED CONSULTATIONS

REF: LIMA 3572

Sensitive but Unclassified. Please handle accordingly.

¶1. (U) This is an action request. Please see paragraph 5.

¶2. (SBU) Summary: President Garcia has called for judicial reform and highlighted extradition as a national priority, but the judiciary's interpretation of our bilateral extradition treaty has obstructed U.S. extradition requests. To seize on the government's stated interest and overcome obstacles, post requests DOJ and other support for an extradition workshop targeting Peruvian judges and government officials. Senior DOJ attorney John Beasley's recent visit to Peru shed light on the way forward. End Summary.

¶3. (SBU) The U.S.-Peru bilateral extradition treaty went into effect August 2003. There are eight pending U.S. extradition requests with the GOP. In the last three years, only one subject was extradited and surrendered to the U.S., in part because he wanted to be. The main obstacles to successful extraditions are the Peruvian judges' inexperience in extraditions and their inadequate understanding of the extradition treaty, as well as its requirements and processes. In one recent example, the Peruvian Supreme Court requested that the Embassy provide evidence far beyond what the treaty calls for.

¶4. (U) In a letter to President Bush (Reftel), President Garcia stated his interest in expediting extraditions of narcotraffickers. More generally, Garcia has also emphasized judicial reform and improving the capabilities of judges and the efficiency of the judicial system. Everyone from the Ministers down to staff in the Ministry of Justice and the Public Ministry have emphasized the need to educate judges on the extradition treaty, the required standards of proof, and the extradition process. In a 10/13 meeting with DOJ representative John Beasley, the Minister of Justice, Maria Zavala acknowledged she herself could benefit from such a workshop on extradition issues.

¶5. (SBU) Action Request: With the glaring need and the clear interest in mind, Post requests assistance from DOJ, ONDCP, and other relevant stakeholders in funding, organizing, and administering an extradition workshop and/or extended consultations on extradition law and the extradition process with special emphasis on the U.S.-Peru treaty. These

workshops would primarily target judges who hear U.S. extradition requests. They would also aim to educate Peruvian government officials who work on extraditions particularly in the Public, Justice, and Foreign Ministries. The objectives of the workshop and/or consultations would be to: 1) educate the judges on extradition requirements and procedures, and 2) foster a culture of responsibility and cooperation with regard to compliance with the extradition treaty.

¶6. (U) Post wishes to thank DOJ for the productive visit by Office of International Affairs Senior Trial Attorney, John Beasley, to assist in advancing issues related to U.S. extradition requests to Peru. Beasley met with senior representatives in the Justice Ministry, the Public Ministry, the Foreign Ministry, and judges from the relevant courts. His visit helped bring to light the substantive issues, demonstrated the importance of the extradition process to the USG and GOP, and delineated some of the challenges the USG faces in its requests.

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